

**ORDINANCE NO. 2004-02**

**AN ORDINANCE ADOPTING THE ENGINEERING DESIGN AND CONSTRUCTION STANDARDS AND SPECIFICATIONS, 2004, EDITION**

WHEREAS, the Engineering Division of the Community Development Department has prepared the Engineering Design and Construction Standards and Specifications, 2004 Edition to replace and supersede the Engineering Design and Construction Standards and Specifications, 1993 Edition; and

WHEREAS, the Engineering Division has recommended that the Council of the City of Flagstaff ("Council") adopt the Engineering Design and Construction Standards and Specifications, 2004 Edition to replace and supersede the Engineering Design and Construction Standards and Specifications, 1993 Edition; and

WHEREAS, the City Council has reviewed the recommendations of the Engineering Division and finds that adoption of the Engineering Design and Construction Standards and Specifications, 2004 Edition and replacement of the Engineering Design and Construction Standards and Specifications, 1993 Edition is necessary to provide information to the public on minimum acceptable design and construction practices and to reflect changes to existing codes and the addition of new codes for public improvements within the City of Flagstaff; and

WHEREAS, the City Council intends, by adopting the Engineering Design and Construction Standards and Specifications, 2004 Edition in lieu of the Engineering Design and Construction Standards and Specifications, 1993 Edition, to protect and promote the public health, safety, convenience and general welfare of the citizens of the City of Flagstaff and to provide for the orderly growth and development of the City; and

WHEREAS, the Engineering Division met and consulted with approximately 160 stakeholders, including contractors, engineers, developers, surveyors, realtors and others

("Stakeholders"), and solicited comments concerning the proposed Engineering Design and Construction Standards and Specifications, 2004 Edition; and

WHEREAS, the Engineering Division considered the comments from the Stakeholders and incorporated a number of Stakeholder suggestions into the Engineering Design and Construction Standards and Specifications, 2004 Edition; and


WHEREAS, the Council finds that it had, on February 17, 2004, by Resolution No. 2004-14, declared the Engineering Design and Construction Standards and Specifications, 2004 Edition to be a public record, with three copies of that document to be held for public inspection in the Office of the City Clerk, and the Council finds that three copies of that document were filed and maintained as a public record by the City Clerk for more than thirty days following February 17, 2004; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**


SECTION 1. The Engineering Design and Construction Standards and Specifications, 2004 Edition that was declared to be a public record by Council Resolution No. 2004-14 on February 17, 2004, is hereby adopted and declared to replace and supersede the Engineering Design and Construction Standards and Specifications, 1993 Edition.

SECTION 2. The Council intends that the prior provisions of the Engineering Design and Construction Standards and Specifications, 1993 Edition shall be of no force or effect unless the Superior Court of Coconino County, Arizona enters an order that stays the adoption, declares the adoption of the Engineering Design and Construction Standards and Specifications, 2004 Edition to be ineffective or declares a referendum to have reversed the adoption of the Engineering Design and Construction Standards and Specifications, 2004 Edition, in which case the Council intends that the prior provisions of Engineering Design and Construction Standards and Specifications, 1993 shall remain in effect until the Council shall adopt other provisions that are declared to supersede the prior provisions.

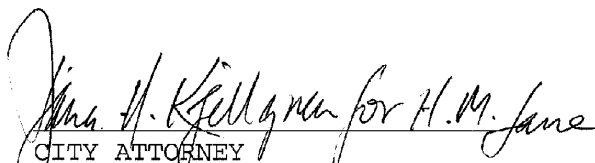
PASSED AND ADOPTED by the Council of the City of Flagstaff and approved by the Mayor of the City of Flagstaff, this 6th day of April, 2004.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY